



Paul E. Urbanec
1912 Highway 94
Pender, NE 68047

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Violation: July 8, 2014

9 C.F.R. § 2.126(b) Access and inspection of records and property; submission of itineraries.

The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to have a responsible adult available to accompany APHIS officials for an inspection during normal business hours.

Date of Violation: July 29, 2014

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

Each dealer and exhibitor shall establish and maintain programs of adequate veterinary care that include:

The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

You failed to provide veterinary care to five dogs, including a Mastiff (ID #0A02387713) with open wounds on both ears; an American Eskimo dog (08619526) with excessive brown material coating her teeth and a white discharge and mass on her gums; a Dachshund (0A01642644) with an accumulation of brown material on his teeth and receded, red gums with a creamy discharge along his gums; and two German Shepherds (0A01642627 and 0A01642675) that had hair loss and bare skin on the tips of their ears.

Date of Violation: July 29, 2014

9 C.F.R. § 3.1(c)(3) Housing facilities, general. Surfaces. Cleaning.

Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with § 3.11(b) of this subpart to prevent



accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done using any of the methods provided in § 3.11(b)(3) for primary enclosures.

You failed to spot-clean the flooring of an outdoor enclosure housing six dogs often enough to prevent the accumulation of excreta and ensure the dogs freedom to avoid contact with the excreta.

Date of Violation: December 2, 2014

9 C.F.R. § 2.126(b) Access and inspection of records and property; submission of itineraries.

The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to have a responsible adult available to accompany APHIS officials during the entire inspection. Shortly after the inspection began, you left Inspectors to attend to other business. Inspectors waited approximately fifteen minutes and requested to resume the inspection before it became dark, but you chose to end the inspection.

Date of Violation: December 2, 2014

9 C.F.R. § 3.3(a) Sheltered housing facilities. Heating, cooling, and temperature. The sheltered part of sheltered housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. The ambient temperature in the sheltered part of the facility must not fall below 50 °F (10 °C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress and discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs or cats, except as approved by the attending veterinarian. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 °F (10 °C). The ambient temperature must not fall below 45 °F (7.2 °C) for more than 4 consecutive hours when dogs or cats are present, and must not rise above 85 °F (29.5 °C) for more than 4 consecutive hours when dogs or cats are present.

You failed to provide 4 shorthaired dogs with adequate dry bedding, solid resting boards, or other methods of conserving body heat when



temperatures dropped below 50 °F. On the day of the inspection, the ambient temperature was 44 °F and surface temperatures were 31-35°F.

The penalty for the alleged violation(s) described above is \$3,536.